

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

DAVID SHUMATE

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PLAINTIFF

v.

Civil No. 3:18cv68-HSO-LRA

**ELAINE L. CHAO, SECRETARY
UNITED STATES DEPARTMENT
OF TRANSPORTATION**

DEFENDANT

**ORDER OVERRULING IN PART AND SUSTAINING IN PART
THE PARTIES' OBJECTIONS TO THE DESIGNATED
DEPOSITION TESTIMONY OF WINSOME ANGELA LENFERT AND
MILLIE STRICKLAND**

BEFORE THE COURT are the parties' Objections to the designated deposition testimony of Winsome Angela Lenfert and Millie Strickland, as set forth in the Pretrial Order [56]. The Court has carefully considered the depositions, the Objections noted in the Pretrial Order [56], the record, and relevant legal authority. In accordance with the Federal Rules of Evidence, the Court will overrule in part and sustain in part the parties' Objections.

I. DISCUSSION

A. Objections to deposition designations of Winsome Angela Lenfert

Defendant Elaine L. Chao, has submitted seventeen Objections to Plaintiff's designations of Winsome Angela Lenfert's deposition testimony. *See* Pretrial Order [56] at 35-36. Defendant objects to page 11, line 17 through line 18, of the

deposition. *Id.* The Court **OVERRULES** this Objection on grounds that such testimony is relevant and otherwise admissible. The Court **SUSTAINS** the remainder of Defendant's Objections for the reasons argued by Defendant's counsel.

B. Objections to deposition designations of Millie Strickland

Defendant objects to all of Plaintiff's designations of Millie Strickland's deposition testimony. *See* Pretrial Order [56] at 38. The Court **SUSTAINS** Defendant's Objection to page 23, lines 14 through 17, and to all exhibits referenced in the deposition. Otherwise, the Court **OVERRULES** Defendant's remaining Objections to the designated portions of the deposition on grounds that such testimony is relevant and otherwise admissible.

II. CONCLUSION

IT IS, THEREFORE, ORDERED AND ADJUDGED that, the parties' Objections to the designated deposition testimony of Winsome Angela Lenfer and Millie Strickland are **OVERRULED IN PART AND SUSTAINED IN PART**, as stated herein.

SO ORDERED this the 16th day of July, 2020.

s/ Halil Suleyman Ozerden
HALIL SULEYMAN OZERDEN
UNITED STATES DISTRICT JUDGE